



ney's Docket No.: 07252-008002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zyskind et al.  
Serial No. : 09/805,664  
Filed : March 13, 2001  
Title : METHOD FOR IDENTIFYING MICROBIAL PROLIFERATION GENES

Art Unit : 1645  
Examiner : Unknown

Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97 and §1.98

1645  
H9  
mw  
RECEIVED  
JAN 04 2002  
TECH CENTER 1600/2900

Sir:

Enclosed for filing in the above-referenced patent application is a Form PTO-1449, being submitted prior to the first Office Action on the merits. Applicants respectfully request consideration of the remarks and references set forth herein.

The following documents are enclosed herewith:

- copy of Form PTO-1449
- Postcard
- copies of cited references

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

11/7/01  
Date of Deposit

Signature

Jeannette Amour Rice  
Typed or Printed Name of Person Signing Certificate

Applicant : Zyskind et al.  
Serial No. : 09/805,664  
Filed : March 13, 2001  
Page : 2

Attorney's Docket No.: 07252-008002

### REMARKS

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

This submission is the third supplemental Information Disclosure Statement (IDS) (the fourth IDS to be filed). The initial IDS was submitted March 13, 2001, a supplemental IDS and PTO Form 1449 were submitted June 15, 2001, and a second supplemental IDS and PTO Form 1449 were submitted July 2, 2001.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. If necessary, please deduct any necessary additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Applicant : Zyskind et al.  
Serial No. : 09/805,664  
Filed : March 13, 2001  
Page : 3

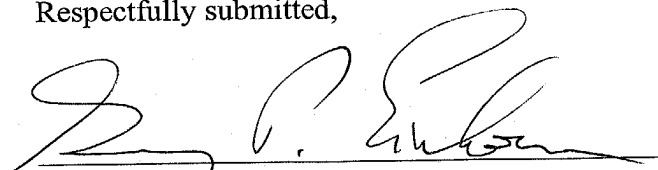
ney's Docket No.: 07252-008002

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 678 5070.

Respectfully submitted,

Date:

Nov. 6, 2007



Gregory P. Einhorn  
Reg. No. 38,440

Fish & Richardson P.C.  
4350 La Jolla Village Drive, Suite 500  
San Diego, California 92122  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099